



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
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## House Amendment 1407

PAG LIN

1 1 Amend House File 597 as follows:  
1 2 #1. Page 8, line 19, by striking <and> and inserting  
1 3 <the covered person may file a request for external  
1 4 review pursuant to section 514J.109. In addition, if>  
1 5 #2. Page 8, line 26, after <review> by inserting  
1 6 <pursuant to section 514J.109, subsection 18>

PETTENGILL of Benton  
HF597.1773 (1) 84  
av/nh



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## House Amendment 1408

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1 1 Amend House File 482 as follows:  
1 2 #1. Page 2, by striking lines 12 through 16 and  
1 3 inserting:  
1 4 <NEW SUBSECTION. 19. The commissioner may propose  
1 5 and promulgate administrative rules to effectuate the  
1 6 insurance provisions of the federal Patient Protection  
1 7 and Affordable Care Act, Pub. L. No. 111=148, as  
1 8 amended by the federal Health Care and Education  
1 9 Reconciliation Act of 2010, Pub. L. No. 111=152, and  
1 10 any amendments thereto, or other applicable federal  
1 11 law.>  
1 12 #2. Page 2, line 33, by striking <subsection 3, Code  
1 13 2011, is> and inserting <subsections 3 and 4, Code  
1 14 2011, are>  
1 15 #3. Page 3, line 6, by striking <or disapproval> and  
1 16 inserting <~~or~~, disapproval, or modification>  
1 17 #4. Page 3, after line 7 by inserting:  
1 18 <4. The consumer advocate shall present the public  
1 19 testimony, if any, and public comments received for  
1 20 consideration by the commissioner in determining  
1 21 whether to approve, ~~or~~ disapprove, or modify such  
1 22 health insurance rate increase proposals.>  
1 23 #5. Page 15, line 31, by striking <transactions,>  
1 24 and inserting <transactions>  
1 25 #6. Page 15, line 33, by striking <transactions,>  
1 26 and inserting <transactions>  
1 27 #7. Page 15, line 35, by striking <instruments  
1 28 or securities> and inserting <instruments used or  
1 29 securities pledged>  
1 30 #8. Page 16, line 2, by striking <of the applicable  
1 31 collateral agreement> and inserting <the applicable  
1 32 collateral>  
1 33 #9. Page 17, after line 3 by inserting:  
1 34 <Sec. \_\_\_\_\_. Section 513B.2, subsection 18, Code  
1 35 2011, is amended to read as follows:  
1 36 18. "Small employer" means a person actively  
1 37 engaged in business who, on at least fifty percent of  
1 38 the employer's working days during the preceding year,  
1 39 employed ~~not less than two~~ at least one and not more  
1 40 than fifty full-time equivalent eligible employees. In  
1 41 determining the number of eligible employees, companies  
1 42 which are affiliated companies or which are eligible  
1 43 to file a combined tax return for purposes of state  
1 44 taxation are considered one employer.  
1 45 Sec. \_\_\_\_\_. Section 514C.13, subsection 1, paragraph  
1 46 j, Code 2011, is amended to read as follows:  
1 47 j. "Small employer" means a person actively engaged  
1 48 in business who, during at least fifty percent of the  
1 49 employer's working days during the preceding calendar  
1 50 year, employed ~~not less than two~~ at least one and not



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House Amendment 1408 continued

2 1 more than fifty full-time equivalent employees.>  
2 2 #10. Page 18, after line 19 by inserting:  
2 3 <Sec. \_\_\_\_\_. Section 515.129A, subsection 1, Code  
2 4 2011, is amended to read as follows:  
2 5 1. ~~A~~ After a personal lines policy or contract  
2 6 of insurance ~~which~~ has been in effect for ~~more than~~  
2 7 sixty days or more, the policy or contract shall not be  
2 8 canceled except by notice to the insured as provided  
2 9 in this chapter.>  
2 10 #11. Page 18, by striking lines 22 and 23 and  
2 11 inserting:  
2 12 <1. a. Notwithstanding the provisions of ~~sections~~  
2 13 ~~515.125 through 515.127~~ section 515.129A, a notice of>  
2 14 #12. Page 18, by striking lines 28 and 29 and  
2 15 inserting <notwithstanding the provisions of ~~sections~~  
2 16 ~~515.125 and 515.127~~ section 515.129A, at least ten days  
2 17 prior to the date of cancellation.>  
2 18 #13. Page 19, line 14, by striking <515.128> and  
2 19 inserting <, 515.128>  
2 20 #14. Page 19, line 29, by striking <and> and  
2 21 inserting <or>  
2 22 #15. Page 21, line 6, by striking <a> and inserting  
2 23 <a no>  
2 24 #16. Page 21, line 6, by striking <not> and  
2 25 inserting <not>  
2 26 #17. Page 24, after line 14 by inserting:  
2 27 <Sec. \_\_\_\_\_. REPEAL. Section 515.135, Code 2011, is  
2 28 repealed.  
2 29 Sec. \_\_\_\_\_. EFFECTIVE DATE. The following provision  
2 30 or provisions of this Act take effect January 1, 2014:  
2 31 1. The section of this Act amending section 513B.2,  
2 32 subsection 18.  
2 33 2. The section of this Act amending section  
2 34 514C.13, subsection 1, paragraph "j".>  
2 35 #18. Title page, line 2, after <commerce> by  
2 36 inserting <and including effective date provisions>  
2 37 #19. By renumbering as necessary.

PETTENGILL of Benton  
HF482.1819 (1) 84  
av/sc



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## House Amendment 1409

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1 1 Amend House File 590 as follows:  
1 2 #1. By striking page 4, line 18, through page 5,  
1 3 line 35, and inserting:  
1 4 <a. The powers of the authority are vested in and  
1 5 shall be exercised by a board consisting of fifteen  
1 6 voting members appointed by the governor and seven ex  
1 7 officio, nonvoting members.  
1 8 b. (1) The ex officio, nonvoting members are four  
1 9 legislative members; one president, or the president's  
1 10 designee, of the university of northern Iowa, the  
1 11 university of Iowa, or Iowa state university of  
1 12 science and technology designated by the state board  
1 13 of regents on a rotating basis; and one president,  
1 14 or the president's designee, of a private college  
1 15 or university appointed by the Iowa association  
1 16 of independent colleges and universities; and one  
1 17 president, or the president's designee, of a community  
1 18 college, appointed by the Iowa association of community  
1 19 college presidents.  
1 20 (2) The legislative members are two state senators,  
1 21 one appointed by the president of the senate after  
1 22 consultation with the majority leader of the senate  
1 23 and one appointed by the minority leader of the  
1 24 senate from their respective parties; and two state  
1 25 representatives, one appointed by the speaker and  
1 26 one appointed by the minority leader of the house of  
1 27 representatives from their respective parties.  
1 28 c. Not more than eight of the voting members shall  
1 29 be from the same political party. At least one voting  
1 30 member shall have been less than thirty years of age  
1 31 at the time of appointment.  
1 32 d. The governor shall appoint the voting members of  
1 33 the board to staggered terms of four years beginning  
1 34 and ending as provided by section 69.19, subject  
1 35 to confirmation by the senate, and the governor's  
1 36 appointments shall include persons knowledgeable of the  
1 37 various elements of the department's responsibilities.  
1 38 e. Each of the following areas of expertise shall  
1 39 be represented by at least one voting member of the  
1 40 board who has professional experience in that area of  
1 41 expertise:  
1 42 (1) Finance, insurance, or investment banking.  
1 43 (2) Advanced manufacturing.  
1 44 (3) Statewide agriculture.  
1 45 (4) Life sciences.  
1 46 (5) Small business development.  
1 47 (6) Information technology.  
1 48 (7) Economics or alternative and renewable energy  
1 49 including the alternative and renewable energy sectors  
1 50 listed in section 476.42, subsection 1, paragraph "a".



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2 1 (8) Labor.  
2 2 (9) Marketing.  
2 3 (10) Entrepreneurship.  
2 4 f. At least nine of the voting members of the board  
2 5 shall be actively employed in the private, for-profit  
2 6 sector of the economy.  
2 7 2. A vacancy on the authority board shall be filled  
2 8 in the same manner as regular appointments are made for  
2 9 the unexpired portion of the regular term.  
2 10 3. a. The authority board shall meet in May of  
2 11 each year for the purpose of electing one of its voting  
2 12 members as chairperson and one of its voting members  
2 13 as vice chairperson. However, the chairperson and the  
2 14 vice chairperson shall not be from the same political  
2 15 party.  
2 16 b. The authority board shall meet at the call of  
2 17 the chairperson or when any eight voting members of the  
2 18 board file a written request with the chairperson for a  
2 19 meeting. Written notice of the time and place of each  
2 20 meeting shall be given to each member of the authority  
2 21 board.  
2 22 c. A majority of the voting members constitutes a  
2 23 quorum.  
2 24 4. Members of the authority board, the director,  
2 25 and other employees of the authority shall be allowed  
2 26 their actual and necessary expenses incurred in the  
2 27 performance of their duties. All expenses shall be  
2 28 paid from appropriations for those purposes and the  
2 29 department is subject to the budget requirements of  
2 30 chapter 8. Each member of the authority board may  
2 31 also be eligible to receive compensation as provided  
2 32 in section 7E.6.  
2 33 5. If a member of the authority board has an  
2 34 interest, either direct or indirect, in a contract  
2 35 to which the authority is or is to be a party, the  
2 36 interest shall be disclosed to the board in writing and  
2 37 shall be set forth in the minutes of a meeting of the  
2 38 authority board. The member having the interest shall  
2 39 not participate in action by the authority board with  
2 40 respect to the contract.  
2 41 6. As part of the organizational structure of the  
2 42 authority, the authority board shall establish a due  
2 43 diligence committee and a loan and credit guarantee  
2 44 committee composed of members of the board. The  
2 45 committees shall serve in an advisory capacity to  
2 46 the authority board and shall carry out any duties  
2 47 assigned by the authority board in relation to programs  
2 48 administered by the authority. The loan and credit  
2 49 guarantee committee shall advise the authority board on  
2 50 the winding up of loan guarantees made under the loan



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House Amendment 1409 continued

3 1 and credit guarantee program established pursuant to  
3 2 section 15E.224, Code 2009, and on the proper amount of  
3 3 the allocation described in section 15G.111, subsection  
3 4 4, paragraph "g".>  
3 5 #2. By renumbering as necessary.

H. MILLER of Webster  
HF590.1813 (1) 84  
tw/sc



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**House Amendment 1410**

PAG LIN

1 1 Amend House File 623 as follows:  
1 2 #1. Page 1, by striking lines 22 through 24 and  
1 3 inserting:  
1 4 <b. The department shall terminate an individual's  
1 5 eligibility following a twelve=month period of  
1 6 suspension of the individual's eligibility under  
1 7 paragraph "a".>  
1 8 #2. Page 2, by striking lines 2 through 25 and  
1 9 inserting:  
1 10 <Sec. \_\_\_\_\_. IMPLEMENTATION. The department of human  
1 11 services shall do all of the following:  
1 12 1. Request any waiver or approval necessary from  
1 13 the centers for Medicare and Medicaid services of the  
1 14 United States department of health and human services  
1 15 to provide for the delay in suspension of eligibility  
1 16 as provided in this Act beginning January 1, 2012. The  
1 17 department shall implement the delay period to the  
1 18 maximum extent of the federal approval.  
1 19 2. Develop a process for suspension of medical  
1 20 assistance eligibility for individuals as specified in  
1 21 this Act beginning January 1, 2012.  
1 22 3. Incorporate provisions for suspension and  
1 23 termination of medical assistance eligibility for  
1 24 inmates of public institutions within any future  
1 25 redesign of the medical assistance program eligibility  
1 26 information management system.>  
1 27 #3. By renumbering as necessary.

HEDDENS of Story  
HF623.1833 (2) 84  
pf/nh



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## House Amendment 1411

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1 1 Amend Senate File 361, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 3, after line 35 by inserting:  
1 4 <\_\_\_\_. The Iowa state fair board shall submit the  
1 5 annual audit report, prepared pursuant to subsection  
1 6 2, to the legislative services agency and the general  
1 7 assembly's standing committees on government oversight  
1 8 as required by committees. The board shall redact any  
1 9 information which identifies a donor.>  
1 10 #2. By renumbering as necessary.

COWNIE of Polk  
SF361.1812 (3) 84  
da/rj





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## House Amendment 1412

PAG LIN

- 1 1 Amend House File 590 as follows:
- 1 2 #1. Page 1, line 13, after <sector> by inserting
- 1 3 <that focuses on small businesses>
- 1 4 #2. By renumbering as necessary.

RUNNING=MARQUARDT of Linn  
HF590.1844 (1) 84  
tw/sc



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## House Amendment 1413

PAG LIN

1 1 Amend the amendment, H=1406, to House File 603 as  
1 2 follows:  
1 3 #1. Page 1, by striking lines 31 through 36 and  
1 4 inserting <engineers may, if appropriate, employ  
1 5 standards or guidelines other than the guidelines  
1 6 of the United States natural resource conservation  
1 7 service when determining the number of acres justified  
1 8 as reasonable and necessary for a surface drinking  
1 9 water source. The data and information used by the  
1 10 registered professional engineers shall>  
1 11 #2. Page 1, line 49, before <engineer> by inserting  
1 12 <registered professional>  
1 13 #3. By renumbering as necessary.

KAUFMANN of Cedar  
H1406.1868 (1) 84  
md/sc



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## House Amendment 1414

PAG LIN

1 1 Amend House File 590 as follows:  
1 2 #1. Page 21, lines 33 and 34, by striking  
1 3 <performing delegated functions pursuant to section  
1 4 15.107A> and inserting <all of its operations>  
1 5 #2. Page 22, by striking lines 4 through 7 and  
1 6 inserting <activities during the prior fiscal year.>  
1 7 #3. Page 22, lines 14 and 15, by striking <that  
1 8 pertain to the performance of delegated functions>  
1 9 #4. Page 22, lines 19 and 20, by striking <the  
1 10 performance by the corporation of delegated functions>  
1 11 and inserting <the operations and activities of the  
1 12 corporation>  
1 13 #5. By renumbering as necessary.

WILLEMS of Linn  
HF590.1843 (1) 84  
tw/sc



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## House Amendment 1415

PAG LIN

1 1 Amend House File 590 as follows:  
1 2 #1. Page 1, line 2, by striking <IOWA PARTNERSHIP  
1 3 FOR ECONOMIC PROGRESS AND>  
1 4 #2. Page 1, by striking lines 14 through 16 and  
1 5 inserting:  
1 6 <2. The collaboration shall involve the economic  
1 7 development authority and the economic development  
1 8 corporation which shall work>  
1 9 #3. Page 1, by striking lines 32 and 33.  
1 10 #4. By striking page 2, line 10, through page 4,  
1 11 line 9.  
1 12 #5. Page 10, by striking lines 30 through 32.  
1 13 #6. Page 19, by striking lines 5 through 7.  
1 14 #7. Page 22, before line 30 by inserting:  
1 15 <Sec. \_\_\_\_ . REPEAL. Sections 15.103 and 15.104,  
1 16 Code 2011, are repealed.>  
1 17 #8. By renumbering as necessary.

THOMAS of Clayton  
HF590.1814 (1) 84  
tw/sc



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## House Amendment 1416

PAG LIN

1 1 Amend House File 590 as follows:  
1 2 #1. Page 17, before line 9 by inserting:  
1 3 <Sec. \_\_\_\_\_. NEW SECTION. 15.106E Corporation  
1 4 restricted by rules.  
1 5 The authority shall adopt rules that prevent  
1 6 the corporation from engaging in favoritism and  
1 7 pay=to=play tactics for companies doing business with  
1 8 the corporation.>  
1 9 #2. By renumbering as necessary.

THOMAS of Clayton  
HF590.1845 (1) 84  
tw/sc



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## House Amendment 1417

PAG LIN

- 1 1 Amend House File 649 as follows:
- 1 2 #1. Page 13, line 26, by striking <8,952,151> and
- 1 3 inserting <10,208,700>
- 1 4 #2. Page 72, by striking lines 20 through 32.
- 1 5 #3. By renumbering as necessary.

M. SMITH of Marshall  
HF649.1702 (1) 84  
jp/pf



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## House Amendment 1418

PAG LIN

1 1 Amend House File 500 as follows:  
1 2 #1. Page 1, before line 1 by inserting:  
1 3 <Section 1. Section 68B.32A, subsections 6, 9, 12,  
1 4 and 19, Code 2011, are amended to read as follows:  
1 5 6. Prepare and publish a manual setting forth  
1 6 examples of approved uniform systems of accounts and  
1 7 approved methods of disclosure for use by persons  
1 8 required to file statements and reports under this  
1 9 chapter, chapter 68A, and section 8.7. The board shall  
1 10 also prepare and publish other educational materials,  
1 11 and any other reports or materials deemed appropriate  
1 12 by the board. The board shall annually provide all  
1 13 officials and state employees with notification of the  
1 14 contents of this chapter, chapter 68A, ~~and~~ section  
1 15 8.7, and section 455B.103, subsection 1, paragraph  
1 16 "d", by distributing copies of educational materials  
1 17 to each agency of state government under the board's  
1 18 jurisdiction.  
1 19 9. Establish and impose penalties, and  
1 20 recommendations for punishment of persons who are  
1 21 subject to penalties of or punishment by the board or  
1 22 by other bodies, for the failure to comply with the  
1 23 requirements of this chapter, chapter 68A, ~~or~~ section  
1 24 8.7, or section 455B.103, subsection 1, paragraph "d".  
1 25 12. Establish a procedure for requesting and  
1 26 issuing board advisory opinions to persons subject  
1 27 to the authority of the board under this chapter,  
1 28 chapter 68A, ~~or~~ section 8.7, or section 455B.103,  
1 29 subsection 1, paragraph "d". Local officials and local  
1 30 employees may also seek an advisory opinion concerning  
1 31 the application of the applicable provisions of this  
1 32 chapter. Advice contained in board advisory opinions  
1 33 shall, if followed, constitute a defense to a complaint  
1 34 alleging a violation of this chapter, chapter 68A,  
1 35 section 8.7, section 455B.103, subsection 1, paragraph  
1 36 "d", or rules of the board that is based on the same  
1 37 facts and circumstances.  
1 38 19. Impose penalties upon, or refer matters  
1 39 relating to, persons who provide false information to  
1 40 the board during a board investigation of a potential  
1 41 violation of this chapter, chapter 68A, section 8.7,  
1 42 section 455B.103, subsection 1, paragraph "d", or  
1 43 rules of the board. The board shall adopt rules to  
1 44 administer this subsection.  
1 45 Sec. \_\_\_\_\_. Section 68B.32B, subsection 1, Code 2011,  
1 46 is amended to read as follows:  
1 47 1. Any person may file a complaint alleging that  
1 48 a candidate, committee, person holding a state office  
1 49 in the executive branch of state government, employee  
1 50 of the executive branch of state government, or other



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House Amendment 1418 continued

2 1 person has committed a violation of chapter 68A or  
2 2 rules adopted by the board. Any person may file  
2 3 a complaint alleging that a person holding a state  
2 4 office in the executive branch of state government, an  
2 5 employee of the executive branch of state government,  
2 6 or a lobbyist or a client of a lobbyist of the  
2 7 executive branch of state government has committed  
2 8 a violation of this chapter or rules adopted by the  
2 9 board. Any person may file a complaint alleging a  
2 10 violation of section 8.7 or rules adopted by the board.  
2 11 Any person may file a complaint alleging a violation  
2 12 of section 455B.103, subsection 1, paragraph "d". The  
2 13 board shall prescribe and provide forms for purposes  
2 14 of this subsection. A complaint must include the  
2 15 name and address of the complainant, a statement of  
2 16 the facts believed to be true that form the basis of  
2 17 the complaint, including the sources of information  
2 18 and approximate dates of the acts alleged, and a  
2 19 certification by the complainant under penalty of  
2 20 perjury that the facts stated to be true are true to  
2 21 the best of the complainant's knowledge.  
2 22 Sec. \_\_\_\_\_. Section 68B.32B, subsection 4, paragraph  
2 23 a, Code 2011, is amended to read as follows:  
2 24 a. Facts that would establish a violation of a  
2 25 provision of this chapter, chapter 68A, section 8.7,  
2 26 section 455B.103, subsection 1, paragraph "d", or rules  
2 27 adopted by the board.  
2 28 Sec. \_\_\_\_\_. Section 68B.32B, subsections 8 and 9,  
2 29 Code 2011, are amended to read as follows:  
2 30 8. The purpose of an investigation by the board's  
2 31 staff is to determine whether there is probable cause  
2 32 to believe that there has been a violation of this  
2 33 chapter, chapter 68A, section 8.7, section 455B.103,  
2 34 subsection 1, paragraph "d", or of rules adopted by the  
2 35 board. To facilitate the conduct of investigations,  
2 36 the board may issue and seek enforcement of subpoenas  
2 37 requiring the attendance and testimony of witnesses and  
2 38 subpoenas requiring the production of books, papers,  
2 39 records, and other real evidence relating to the  
2 40 matter under investigation. Upon the request of the  
2 41 board, an appropriate county attorney or the attorney  
2 42 general shall assist the staff of the board in its  
2 43 investigation.  
2 44 9. If the board determines on the basis of an  
2 45 investigation by board staff that there is probable  
2 46 cause to believe the existence of facts that would  
2 47 establish a violation of this chapter, chapter 68A,  
2 48 section 8.7, section 455B.103, subsection 1, paragraph  
2 49 "d", or of rules adopted by the board, the board  
2 50 may issue a statement of charges and notice of a





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3 1 contested case proceeding to the complainant and to  
3 2 the person who is the subject of the complaint, in  
3 3 the manner provided for the issuance of statements of  
3 4 charges under chapter 17A. If the board determines  
3 5 on the basis of an investigation by staff that there  
3 6 is no probable cause to believe that a violation has  
3 7 occurred, the board shall close the investigation,  
3 8 dismiss any related complaint, and the subject of the  
3 9 complaint shall be notified of the dismissal. If the  
3 10 investigation originated from a complaint filed by a  
3 11 person other than the board, the person making the  
3 12 complaint shall also be notified of the dismissal.

3 13 Sec. \_\_\_\_\_. Section 68B.32C, subsections 1 and 3,  
3 14 Code 2011, are amended to read as follows:

3 15 1. Contested case proceedings initiated as a result  
3 16 of the issuance of a statement of charges pursuant to  
3 17 section 68B.32B, subsection 9, shall be conducted in  
3 18 accordance with the requirements of chapter 17A. Clear  
3 19 and convincing evidence shall be required to support  
3 20 a finding that a person has violated this chapter,  
3 21 section 8.7, section 455B.103, subsection 1, paragraph  
3 22 "d", or any rules adopted by the board pursuant to  
3 23 this chapter. A preponderance of the evidence shall  
3 24 be required to support a finding that a person has  
3 25 violated chapter 68A or any rules adopted by the board  
3 26 pursuant to chapter 68A. The case in support of the  
3 27 statement of charges shall be presented at the hearing  
3 28 by one of the board's attorneys or staff unless, upon  
3 29 the request of the board, the charges are prosecuted  
3 30 by another legal counsel designated by the attorney  
3 31 general. A person making a complaint under section  
3 32 68B.32B, subsection 1, is not a party to contested case  
3 33 proceedings conducted relating to allegations contained  
3 34 in the complaint.

3 35 3. Upon a finding by the board that the party  
3 36 charged has violated this chapter, chapter 68A, section  
3 37 8.7, section 455B.103, subsection 1, paragraph "d",  
3 38 or rules adopted by the board, the board may impose  
3 39 any penalty provided for by section 68B.32D. Upon a  
3 40 final decision of the board finding that the party  
3 41 charged has not violated this chapter, chapter 68A,  
3 42 section 8.7, section 455B.103, subsection 1, paragraph  
3 43 "d", or the rules of the board, the complaint shall  
3 44 be dismissed and the party charged and the original  
3 45 complainant, if any, shall be notified.

3 46 Sec. \_\_\_\_\_. Section 68B.32D, subsection 1, unnumbered  
3 47 paragraph 1, Code 2011, is amended to read as follows:

3 48 The board, after a hearing and upon a finding that a  
3 49 violation of this chapter, chapter 68A, section 8.7,  
3 50 section 455B.103, subsection 1, paragraph "d", or rules



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4 1 adopted by the board has occurred, may do one or more  
4 2 of the following:  
4 3     Sec. \_\_\_\_\_. Section 68B.32D, subsection 1, paragraphs  
4 4 c, d, and h, Code 2011, are amended to read as follows:  
4 5     c. Issue an order requiring the violator to file  
4 6 any report, statement, or other information as required  
4 7 by this chapter, chapter 68A, section 8.7, section  
4 8 455B.103, subsection 1, paragraph "d", or rules adopted  
4 9 by the board.  
4 10     d. Publicly reprimand the violator for violations  
4 11 of this chapter, chapter 68A, section 8.7, section  
4 12 455B.103, subsection 1, paragraph "d", or rules adopted  
4 13 by the board in writing and provide a copy of the  
4 14 reprimand to the violator's appointing authority.  
4 15     h. Issue an order requiring the violator to pay a  
4 16 civil penalty of not more than two thousand dollars for  
4 17 each violation of this chapter, chapter 68A, section  
4 18 8.7, section 455B.103, subsection 1, paragraph "d", or  
4 19 rules adopted by the board.>  
4 20 #2. Page 3, after line 16 by inserting:  
4 21     <d. Any oral, telephonic, or other undocumented  
4 22 communication relating to the director's rulemaking  
4 23 authority or the director's authority to establish  
4 24 fees that includes the director, a person accountable  
4 25 to the director, or a person to whom the director  
4 26 is accountable shall be electronically recorded or  
4 27 otherwise documented and made available to both the  
4 28 commission and the public at no cost in a format easily  
4 29 accessible to the general public. Such recordings and  
4 30 all written communications or documentation relating  
4 31 to these authorities are subject to chapter 22. A  
4 32 person may file a complaint pursuant to section 68B.32B  
4 33 alleging a violation of this paragraph.>  
4 34 #3. By renumbering as necessary.

ISENHART of Dubuque  
HF500.1137 (1) 84  
tm/rj



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## House Amendment 1419

PAG LIN

1 1 Amend House File 482 as follows:  
1 2 #1. Page 23, line 19, by striking <apart from  
1 3 commissions paid by an insurer>

PETTENGILL of Benton  
HF482.1873 (1) 84  
av/sc



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## House Amendment 1420

PAG LIN

1 1 Amend the amendment, H=1406, to House File 603 as  
1 2 follows:  
1 3 #1. Page 2, by striking lines 18 through 30.  
1 4 #2. Page 2, line 31, by striking <19> and inserting  
1 5 <6>  
1 6 #3. By renumbering as necessary.

KAUFMANN of Cedar  
H1406.1887 (1) 84  
md/sc



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## House Amendment 1421

PAG LIN

1 1 Amend the amendment, H=1404, to Senate File 7, as  
1 2 passed by the Senate, as follows:  
1 3 #1. Page 1, by striking lines 12 through 16 and  
1 4 inserting <is powered by a motor of ten horsepower or  
1 5 more which is running, and when used in reference to  
1 6 a sailboat, means the sailboat is either powered by a  
1 7 motor of ten horsepower or more which is running, or  
1 8 has sails hoisted and is not propelled by a motor, and  
1 9 is under>  
1 10 #2. Page 1, by striking lines 21 and 22 and  
1 11 inserting:  
1 12 <NEW SUBSECTION. 14. A peace officer shall not>  
1 13 #3. By renumbering as necessary.

R. OLSON of Polk

HORBACH of Tama  
H1404.1893 (1) 84  
rh/rj



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House Amendment 1422

PAG LIN

1 1 Amend House File 561 as follows:  
1 2 #1. Page 9, after line 23 by inserting:  
1 3 <Sec. \_\_\_\_\_. Section 476A.6, Code 2011, is amended by  
1 4 adding the following new subsection:  
1 5 NEW SUBSECTION. 4. a. In the case of an  
1 6 application to construct a nuclear generating facility,  
1 7 the county electorate in the county within which  
1 8 the facility is proposed to be located has approved  
1 9 construction of the facility as provided in this  
1 10 subsection. The board of supervisors, upon receipt of  
1 11 a valid petition meeting the requirements of section  
1 12 331.306, shall direct the commissioner of elections  
1 13 to submit to the registered voters of the county a  
1 14 proposition to approve or disapprove the construction  
1 15 of a nuclear generating facility in the county. The  
1 16 proposition shall be submitted at an election held on a  
1 17 date specified in section 39.2, subsection 4, paragraph  
1 18 "a". To be submitted at a general election, the  
1 19 petition must be received by the board of supervisors  
1 20 at least five working days before the last day for  
1 21 candidates for county offices to file nomination  
1 22 papers for the general election pursuant to section  
1 23 44.4. If a majority of the county voters voting on  
1 24 the proposition favor construction of such a facility,  
1 25 and all other applicable requirements are met, a  
1 26 certificate shall be issued. If a majority of the  
1 27 county voters voting on the proposition do not favor  
1 28 construction, a certificate shall not be issued.  
1 29 b. After a referendum has been held which defeated  
1 30 a proposal to construct a nuclear generating facility  
1 31 as provided in this subsection, another referendum on a  
1 32 proposal to construct such a facility shall not be held  
1 33 for at least eight years.>  
1 34 #2. By renumbering as necessary.

KELLEY of Jasper

THEDE of Scott

WESSEL=KROESCHELL of Story

GAINES of Polk

WINCKLER of Scott



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LENSING of Johnson

STECKMAN of Cerro Gordo

ISENHART of Dubuque  
HF561.1831 (3) 84  
rn/nh



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## House Amendment 1423

PAG LIN

1 1 Amend House File 613 as follows:  
1 2 #1. Page 1, line 3, before <A> by inserting <a.>  
1 3 #2. Page 1, after line 9 by inserting:  
1 4 <b. Notwithstanding paragraph "a", a county may  
1 5 adopt or enforce any ordinance that:  
1 6 (1) Requires the registration of rental properties  
1 7 for inspection and licensing based upon general life  
1 8 safety, mechanical, or electrical requirements. The  
1 9 costs of such registration or inspection shall not  
1 10 exceed the actual cost to the county. Registration or  
1 11 inspection may only occur when:  
1 12 (a) A rental property has never been previously  
1 13 rented.  
1 14 (b) The rental license for a rental property has  
1 15 expired.  
1 16 (c) There is a transfer of ownership of the rental  
1 17 property.  
1 18 (d) There is a need to inspect and certify a cure  
1 19 of a defect related to a prior inspection.  
1 20 (2) Regulates zoning related to new construction.  
1 21 (3) Relates to the density of rental properties  
1 22 that are vacant at the time that such an ordinance is  
1 23 adopted or enforced.  
1 24 (4) Requires the registration of rental properties  
1 25 in instances where the rental property owner receives  
1 26 moneys pursuant to or related to any federal, state, or  
1 27 local program.>  
1 28 #3. Page 1, line 12, before <A> by inserting <a.>  
1 29 #4. Page 1, after line 18 by inserting:  
1 30 <b. Notwithstanding paragraph "a", a city may  
1 31 adopt or enforce any ordinance that:  
1 32 (1) Requires the registration of rental properties  
1 33 for inspection and licensing based upon general life  
1 34 safety, mechanical, or electrical requirements. The  
1 35 costs of such registration or inspection shall not  
1 36 exceed the actual cost to the city. Registration or  
1 37 inspection may only occur when:  
1 38 (a) A rental property has never been previously  
1 39 rented.  
1 40 (b) The rental license for a rental property has  
1 41 expired.  
1 42 (c) There is a transfer of ownership of the rental  
1 43 property.  
1 44 (d) There is a need to inspect and certify a cure  
1 45 of a defect related to a prior inspection.  
1 46 (2) Regulates zoning related to new construction.  
1 47 (3) Relates to the density of rental properties  
1 48 that are vacant at the time that such an ordinance is  
1 49 adopted or enforced.  
1 50 (4) Requires the registration of rental properties





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House Amendment 1423 continued

2 1 in instances where the rental property owner receives  
2 2 moneys pursuant to or related to any federal, state, or  
2 3 local program.>  
2 4 #5. By renumbering as necessary.

WAGNER of Linn  
HF613.1734 (3) 84  
aw/sc



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## House Amendment 1424

PAG LIN

1 1 Amend House File 646 as follows:  
1 2 #1. Page 2, after line 28 by inserting:  
1 3 <3. For the fiscal year beginning July 1, 2011,  
1 4 and ending June 30, 2012, there is appropriated from  
1 5 the IowAccess revolving fund, to the office of the  
1 6 secretary of state \$75,000 for costs associated with  
1 7 decennial redistricting.>  
1 8 #2. Page 14, by striking lines 9 and 10.  
1 9 #3. By renumbering, redesignating, and correcting  
1 10 internal references as necessary.

GASKILL of Wapello  
HF646.1693 (1) 84  
rn/tm



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## House Amendment 1425

PAG LIN

1 1 Amend House File 646 as follows:  
1 2 #1. Page 15, after line 23 by inserting:  
1 3 <Sec. \_\_\_\_\_. FINANCIAL PROCESSES ==== REVIEW.  
1 4 1. The department of administrative services, in  
1 5 consultation with the department of management, shall  
1 6 implement and administer a procedure for reviewing  
1 7 the financial processes of each state agency. The  
1 8 financial processes to be reviewed include accounting  
1 9 and servicing claims, timely payments of vendors,  
1 10 settlement of payment disputes, and reduction of errors  
1 11 in the claims process. The reviews shall be completed  
1 12 in an expedited manner. At the completion of the  
1 13 review of each agency, the department of administrative  
1 14 services shall submit a report to the general assembly  
1 15 regarding the findings and recommendations of the  
1 16 department.  
1 17 2. The department of human services shall be  
1 18 the first department reviewed by the department of  
1 19 administrative services. The review of the department  
1 20 of human services shall be completed by September 1,  
1 21 2011.>  
1 22 #2. By renumbering as necessary.

GASKILL of Wapello  
HF646.1650 (1) 84  
rn/nh



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## House Amendment 1426

PAG LIN

1 1 Amend House File 646 as follows:  
1 2 #1. Page 22, after line 25 by inserting:  
1 3 <Sec. \_\_\_\_\_. Section 137F.3, subsection 5, Code 2011,  
1 4 is amended to read as follows:  
1 5 5. The director shall monitor municipal  
1 6 corporations which have entered into an agreement  
1 7 pursuant to this section to determine if they are  
1 8 enforcing this chapter within their respective  
1 9 jurisdictions. ~~If the director determines that this~~  
~~1 10 chapter is not enforced by a municipal corporation, the~~  
~~1 11 director may rescind the agreement after reasonable~~  
~~1 12 notice and an opportunity for a hearing. An agreement~~  
~~1 13 may be rescinded by the director only if the director~~  
~~1 14 determines and documents that this chapter is not being~~  
~~1 15 enforced by the municipal corporation or the municipal~~  
~~1 16 corporation is not in compliance with the terms of~~  
~~1 17 the agreement. Financial savings to the department~~  
~~1 18 or any reason other than the failure on the part of a~~  
~~1 19 municipal corporation to enforce this chapter or comply~~  
~~1 20 with the terms of the agreement shall not constitute~~  
~~1 21 sufficient cause for rescision. If the agreement is~~  
~~1 22 rescinded for failure to enforce or failure to comply~~  
~~1 23 pursuant to this subsection, the director shall assume~~  
~~1 24 responsibility for enforcement in the jurisdiction~~  
~~1 25 involved.>~~  
1 26 #2. By renumbering as necessary.

HEDDENS of Story

WESSEL=KROESCHELL of Story  
HF646.1644 (3) 84  
rn/tm



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## House Amendment 1427

PAG LIN

1 1 Amend House File 646 as follows:  
1 2 #1. Page 22, after line 25 by inserting:  
1 3 <Sec. \_\_\_\_\_. Section 137F.3, subsection 5, Code 2011,  
1 4 is amended to read as follows:  
1 5 5. a. The director shall monitor municipal  
1 6 corporations which have entered into an agreement  
1 7 pursuant to this section to determine if they are  
1 8 enforcing this chapter within their respective  
1 9 jurisdictions. If the director determines that this  
1 10 chapter is not enforced by a municipal corporation, the  
1 11 director may rescind the agreement after reasonable  
1 12 notice and an opportunity for a hearing. If the  
1 13 agreement is rescinded, the director shall assume  
1 14 responsibility for enforcement in the jurisdiction  
1 15 involved.  
1 16 b. With respect to a municipal corporation  
1 17 consisting of a city with a population of not less than  
1 18 58,900 or more than 59,000 as of the 2010 decennial  
1 19 federal census, financial savings to the department or  
1 20 any reason other than the failure on the part of the  
1 21 municipal corporation to enforce this chapter or comply  
1 22 with the terms of the agreement shall not constitute  
1 23 sufficient cause for rescision.>

HEDDENS of Story

WESSEL=KROESCHELL of Story  
HF646.1640 (4) 84  
rn/tm



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## House Amendment 1428

PAG LIN

1 1 Amend the amendment, H=1387, to House File 590 as  
1 2 follows:  
1 3 #1. Page 1, line 4, after <j.> by inserting <(1)>  
1 4 #2. Page 1, after line 12 by inserting:  
1 5 <(2) The authority shall not invest or deposit  
1 6 moneys with any person or entity if the person, entity,  
1 7 or any principal executive, director, or person with  
1 8 more than a de minimis financial interest in the  
1 9 entity has made contributions exceeding seven hundred  
1 10 fifty dollars to a political or candidate's committee  
1 11 as defined in section 68A.102 in any year during  
1 12 the previous five full calendar years, or has made  
1 13 an independent expenditure or contributed more than  
1 14 seven hundred fifty dollars to a person who made an  
1 15 independent expenditure as defined in section 68A.404,  
1 16 subsection 1, in any year during the previous five  
1 17 calendar years.  
1 18 (3) For purposes of this paragraph:  
1 19 (a) "Candidate's committee" means a committee for a  
1 20 candidate for the Iowa general assembly or candidate  
1 21 for a statewide office in Iowa.  
1 22 (b) "Financial interest" does not include  
1 23 nonexecutive employment by a person or entity.>  
1 24 #3. Page 1, line 14, after <(4)> by inserting <(a)>  
1 25 #4. Page 1, after line 22 by inserting:  
1 26 <(b) The authority shall not enter into a  
1 27 sole source procurement contract with a person or  
1 28 an entity if the person, entity, or a principal  
1 29 executive, director, or person with more than a de  
1 30 minimis financial interest in the entity, has made  
1 31 contributions exceeding seven hundred fifty dollars  
1 32 to a political or candidate's committee as defined  
1 33 in section 68A.102 in any year during the previous  
1 34 five full calendar years, or has made an independent  
1 35 expenditure or contributed more than seven hundred  
1 36 fifty dollars to a person who made an independent  
1 37 expenditure as defined in section 68A.404, subsection  
1 38 1, in any year during the previous five calendar years.  
1 39 (c) For purposes of this subparagraph:  
1 40 (i) "Candidate's committee" means a committee for a  
1 41 candidate for the Iowa general assembly or candidate  
1 42 for a statewide office in Iowa.  
1 43 (ii) "Financial interest" does not include  
1 44 nonexecutive employment by a person or entity.>  
1 45 #5. By renumbering as necessary.

ISENHART of Dubuque  
H1387.1798 (3) 84  
tw/sc



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## House Amendment 1429

PAG LIN

1 1 Amend House File 590 as follows:  
1 2 #1. Page 9, line 28, after <duties.> by inserting  
1 3 <Committees or panels formed pursuant to this paragraph  
1 4 shall be subject to the provisions of chapters 21 and  
1 5 22.>  
1 6 #2. Page 27, line 21, after <~~independence~~> by  
1 7 inserting <and the department of public safety>  
1 8 #3. By renumbering as necessary.

ISENHART of Dubuque  
HF590.1803 (1) 84  
tw/sc





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## House Amendment 1430

PAG LIN

1 1 Amend House File 590 as follows:  
1 2 #1. Page 8, line 15, after <f.> by inserting <(1)>  
1 3 #2. Page 8, after line 27 by inserting:  
1 4 <(2) If the authority enters into a contract  
1 5 without competitive bidding, such a contract shall not  
1 6 be entered into with a person or entity if that person  
1 7 or entity, or any principal executive, director, or  
1 8 person with more than a de minimis financial interest  
1 9 in the entity, has made contributions exceeding seven  
1 10 hundred fifty dollars to a political or candidate's  
1 11 committee as defined in section 68A.102 in any year  
1 12 during the previous five calendar years, or if the  
1 13 person or entity has made an independent expenditure or  
1 14 contributed more than seven hundred fifty dollars to a  
1 15 person who made an independent expenditure as defined  
1 16 in section 68A.404, subsection 1, in any year during  
1 17 the previous five calendar years.  
1 18 (3) For purposes of this paragraph:  
1 19 (a) "Candidate's committee" means a committee for a  
1 20 candidate for the Iowa general assembly or candidate  
1 21 for a statewide office in Iowa.  
1 22 (b) "Financial interest" does not include  
1 23 non=executive employment by a person or entity.>  
1 24 #3. Page 8, line 28, after <g.> by inserting <(1)>  
1 25 #4. Page 8, after line 31 by inserting:  
1 26 <(2) The authority shall not sell property without  
1 27 public bidding to a person or entity if that person  
1 28 or entity, or any principal executive, director, or  
1 29 person with more than a de minimis financial interest  
1 30 in the entity, has made contributions exceeding seven  
1 31 hundred fifty dollars to a political or candidate's  
1 32 committee as defined in section 68A.102 in any year  
1 33 over the previous five full calendar years, or has made  
1 34 an independent expenditure or contributed more than  
1 35 seven hundred fifty dollars to a person who made an  
1 36 independent expenditure as defined in section 68A.404,  
1 37 subsection 1, in any year during the previous five  
1 38 calendar years.  
1 39 (3) For purposes of this paragraph, "candidate's  
1 40 committee" and "financial interest" have the same  
1 41 meaning as in paragraph "f".>  
1 42 #5. By renumbering as necessary.

ISENHART of Dubuque  
HF590.1801 (2) 84  
tw/sc



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## House Amendment 1431

PAG LIN

1 1 Amend the amendment, H=1404, to Senate File 7, as  
1 2 passed by the Senate, as follows:  
1 3 #1. Page 1, by striking lines 12 through 27 and  
1 4 inserting <is powered by a motor which is running,  
1 5 and when used in reference to a sailboat, means the  
1 6 sailboat is either powered by a motor which is running,  
1 7 or has sails hoisted and is not propelled by a motor,  
1 8 and is under way.>  
1 9 #2. By renumbering as necessary.

R. OLSON of Polk

HORBACH of Tama  
H1421.1910 (2) 84  
rh/rj



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## House Amendment 1432

PAG LIN

1 1 Amend House File 590 as follows:  
1 2 #1. Page 6, by striking line 2 and inserting <to>  
1 3 #2. Page 8, by striking lines 1 and 2.  
1 4 #3. By striking page 8, line 35, through page 9,  
1 5 line 3.  
1 6 #4. By striking page 12, line 30, through page 17,  
1 7 line 8.  
1 8 #5. By renumbering, redesignating, and correcting  
1 9 internal references as necessary.

LUKAN of Dubuque  
HF590.1842 (1) 84  
tw/sc



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## House Amendment 1433

PAG LIN

1 1 Amend House File 590 as follows:  
1 2 #1. Page 12, after line 7 by inserting:  
1 3 <2A. a. The director shall propose and the  
1 4 authority shall adopt rules for the implementation of  
1 5 this subsection.  
1 6 b. The authority and the corporation shall not  
1 7 provide financial assistance, enter into contracts,  
1 8 or otherwise provide benefits to a person or entity  
1 9 that has made an independent expenditure in a campaign  
1 10 or that has contributed more than seven hundred fifty  
1 11 dollars to a person who made an independent expenditure  
1 12 as defined in section 68A.404, subsection 1, in any  
1 13 year during the previous five calendar years.  
1 14 c. The authority and the corporation shall not  
1 15 provide financial assistance, enter into contracts,  
1 16 or otherwise provide benefits to a person or entity  
1 17 if that person or a principal executive, director, or  
1 18 person with a direct financial interest in the entity,  
1 19 has made contributions to a political candidate or  
1 20 candidate's committee exceeding thresholds established  
1 21 by rule.  
1 22 d. For purposes of this subsection:  
1 23 (1) "Campaign" means a campaign for the Iowa  
1 24 general assembly or a candidate for statewide office  
1 25 in Iowa.  
1 26 (2) "Candidate's committee" means a committee for a  
1 27 candidate for the Iowa general assembly or candidate  
1 28 for a statewide office in Iowa.  
1 29 (3) "Financial interest" does not include  
1 30 nonexecutive employment by a person or entity.>  
1 31 #2. By renumbering as necessary.

ISENHART of Dubuque  
HF590.1912 (2) 84  
tw/sc



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## House Amendment 1434

PAG LIN

1 1 Amend the amendment, H=1408, to House File 482 as  
1 2 follows:  
1 3 #1. Page 2, after line 25 by inserting:  
1 4 <\_\_\_\_. Page 21, line 12, by striking <reasonable>  
1 5 and inserting <reasonable>  
1 6 \_\_\_\_\_. Page 21, line 13, after <any> by inserting  
1 7 <reasonable>>

PETTENGILL of Benton  
H1408.1911 (1) 84  
av/sc



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## House Amendment 1435

PAG LIN

1 1 Amend Senate File 130, as passed by the Senate, as  
1 2 follows:  
1 3 #1. By striking everything after the enacting clause  
1 4 and inserting:  
1 5 <Section 1. Section 481A.48, subsection 1, Code  
1 6 2011, is amended to read as follows:  
1 7 1. ~~No~~ A person, except as otherwise provided by  
1 8 law, shall not willfully disturb, pursue, shoot, kill,  
1 9 take or attempt to take or have in possession any of  
1 10 the following game birds or animals except within the  
1 11 open season established by the commission: Gray or fox  
1 12 squirrel, bobwhite quail, cottontail or jackrabbit,  
1 13 duck, snipe, pheasant, goose, woodcock, partridge,  
1 14 mourning dove, coot, rail, ruffed grouse, wild  
1 15 turkey, pigeons, or deer. The seasons, bag limits,  
1 16 possession limits, and locality shall be established  
1 17 by the department or commission under the authority of  
1 18 sections 456A.24, 481A.38, and 481A.39.>  
1 19 #2. Title page, line 1, by striking <raccoon> and  
1 20 inserting <mourning dove>

ARNOLD of Lucas  
SF130.1905 (1) 84  
av/nh



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## House File 650 - Introduced

HOUSE FILE  
BY SANDS

### A BILL FOR

1 An Act providing a sales tax exemption for the sales price from  
2 the sale of certain items to the operator of a vehicle wash  
3 and wax facility.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 2045YH (3) 84  
tw/sc



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House File 650 - Introduced continued

PAG LIN

1 1 Section 1. Section 423.3, Code 2011, is amended by adding  
1 2 the following new subsection:  
1 3 NEW SUBSECTION. 96. The sales price of cleaning items sold  
1 4 to the operator of a vehicle wash and wax facility if such  
1 5 items are used by the facility operator or by a motor vehicle  
1 6 user in the washing, waxing, drying, or vacuuming of the motor  
1 7 vehicle. For purposes of this subsection, "cleaning items"  
1 8 includes soap, cleanser, wax, water, rags, and towels. Items  
1 9 attached to real property, such as scrubbers, are not exempt  
1 10 under this subsection.

1 11 EXPLANATION

1 12 This bill provides a sales tax exemption for the sales price  
1 13 of cleaning items sold to the operator of a vehicle wash and  
1 14 wax facility. Cleaning items include soap, cleanser, wax,  
1 15 water, rags, and towels, but does not include items attached to  
1 16 real property, such as scrubbers.

1 17 By operation of Code section 423.6, an item exempt from the  
1 18 imposition of the sales tax is also exempt from the use tax  
1 19 imposed in Code section 423.5.

LSB 2045YH (3) 84

tw/sc





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## House Study Bill 223

SENATE/HOUSE FILE  
BY (PROPOSED GOVERNOR'S  
BILL)

### A BILL FOR

1 An Act relating to the tax rates imposed on certain gambling  
2 establishments and corporations and including retroactive  
3 applicability provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 2671XL (3) 84  
tw/rj



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House Study Bill 223 continued

PAG LIN

1 1 DIVISION I  
1 2 TAXATION OF GAMBLING GAMES  
1 3 Section 1. Section 99F.11, subsection 2, Code 2011, is  
1 4 amended by striking the subsection and inserting in lieu  
1 5 thereof the following:  
1 6 2. The tax rate imposed each fiscal year on any amount of  
1 7 adjusted gross receipts over three million dollars shall be  
1 8 thirty=six percent.  
1 9 DIVISION II  
1 10 CORPORATE INCOME TAX RATE  
1 11 Sec. 2. Section 422.33, subsection 1, Code 2011, is amended  
1 12 by striking the subsection and inserting in lieu thereof the  
1 13 following:  
1 14 1. a. A tax is imposed annually upon each corporation  
1 15 doing business in this state, or deriving income from sources  
1 16 within this state, at the rate of six percent of the net income  
1 17 received by the corporation during the income year.  
1 18 b. For purposes of this section:  
1 19 (1) "Income from sources within this state" means income  
1 20 from real, tangible, or intangible property located or having  
1 21 a situs in this state.  
1 22 (2) "Net income" means the net income as calculated in  
1 23 section 422.35 and determined to be reasonably attributable to  
1 24 Iowa pursuant to subsections 2 and 3.  
1 25 Sec. 3. Section 422.33, subsection 1A, Code 2011, is amended  
1 26 to read as follows:  
1 27 1A. There is imposed upon each corporation exempt from  
1 28 the general business tax on corporations by section 422.34,  
1 29 subsection 2, a tax at the ~~rates~~ rate specified in subsection 1  
1 30 upon the state's apportioned share computed in accordance with  
1 31 subsections 2 and 3 of the unrelated business income computed  
1 32 in accordance with the Internal Revenue Code and with the  
1 33 adjustments set forth in section 422.35.  
1 34 Sec. 4. Section 422.33, subsection 4, unnumbered paragraph  
1 35 1, Code 2011, is amended to read as follows:



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House Study Bill 223 continued

2 1 In addition to all taxes imposed under this division,  
2 2 there is imposed upon each corporation doing business within  
2 3 the state the greater of the tax determined in subsection 1,  
~~2 4 paragraphs "a" through "d"~~ or the state alternative minimum tax  
2 5 equal to sixty percent of the maximum state corporate income  
2 6 tax rate, rounded to the nearest one-tenth of one percent, of  
2 7 the state alternative minimum taxable income of the taxpayer  
2 8 computed under this subsection.

2 9 Sec. 5. RETROACTIVE APPLICABILITY. This division of this  
2 10 Act applies retroactively to January 1, 2011, for tax years  
2 11 beginning on or after that date.

2 12 EXPLANATION

2 13 This bill relates to certain tax rates applied to gambling  
2 14 establishments and corporations.

2 15 Division I of the bill sets a single tax rate of 36 percent  
2 16 on the adjusted gross receipts over \$3 million from gambling  
2 17 games authorized under Code chapter 99F. The current Code  
2 18 provision applies different tax rates of either 22 percent or  
2 19 24 percent on adjusted gross receipts over \$3 million, based  
2 20 upon certain provisions.

2 21 Division II of the bill relates to corporate income tax  
2 22 rates. Currently, the corporate income tax is imposed in a  
2 23 progressive manner using four income brackets with increasing  
2 24 rates: on the first \$25,000 of income, the rate is 6 percent;  
2 25 on income between \$25,000 and \$100,000, the rate is 8 percent;  
2 26 on income between \$100,000 and \$250,000, the rate is 10  
2 27 percent; on income of \$250,000 or more, the rate is 12 percent.  
2 28 The bill eliminates this tiered bracket and rate structure and  
2 29 imposes the tax at the rate of 6 percent on the corporation's  
2 30 net income attributable to Iowa.

2 31 Division II applies retroactively to tax years beginning on  
2 32 or after January 1, 2011.

LSB 2671XL (3) 84

tw/rj



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## Senate Amendment 3147

PAG LIN

1 1 Amend Senate File 321, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, by striking line 4 and inserting <that  
1 4 is derived from an agricultural animal or>  
1 5 #2. Page 1, by striking lines 6 through 8 and  
1 6 inserting <human consumption in its raw or processed  
1 7 state.  
1 8 a. A food commodity in its raw state for processing  
1 9 includes but is not limited to milk, eggs, vegetables,  
1 10 fruits, nuts, syrup, and honey.  
1 11 b. A food commodity in its processed state includes  
1 12 but is not limited to dairy products, pastries, pies,  
1 13 and meat or poultry products.>  
1 14 #3. Page 1, by striking lines 9 through 15 and  
1 15 inserting:  
1 16 <NEW SUBSECTION. 14A. "On=farm processing  
1 17 operation" means any place located on a farm where  
1 18 the form or condition of a food commodity originating  
1 19 from that farm or another farm is changed or packaged  
1 20 for human consumption, including but not limited to a  
1 21 dairy, creamery, winery, distillery, cannery, bakery,  
1 22 or meat or poultry processor.>  
1 23 #4. By renumbering as necessary.  
SF321.1834.H (1) 84  
mb



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## Senate Amendment 3148

PAG LIN

1 1 Amend Senate File 402, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, line 3, after <d.> by inserting <(1)>  
1 4 #2. Page 1, after line 8 by inserting:  
1 5 <(2) Grants for veterans suffering subsequent,  
1 6 unrelated injuries after September 11, 2001, but  
1 7 prior to the effective date of this Act, shall be  
1 8 payable, upon a showing that the veteran would have  
1 9 been eligible for payment had the subsequent, unrelated  
1 10 injury occurred on or after the effective date of this  
1 11 Act.  
1 12 Sec. \_\_\_\_\_. Section 35A.14, Code 2011, is amended by  
1 13 adding the following new subsection:  
1 14 NEW SUBSECTION. 6. The department may appear  
1 15 before the executive council and request funds to meet  
1 16 the funding needs of the grant program under this  
1 17 section if funds are made available to the executive  
1 18 council for this purpose.>  
1 19 #3. Page 1, after line 8 by inserting:  
1 20 <Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT AND RETROACTIVE  
1 21 APPLICABILITY. This Act, being deemed of immediate  
1 22 importance, takes effect upon enactment and applies  
1 23 retroactively to September 11, 2001, for veterans  
1 24 suffering a subsequent, unrelated injury after that  
1 25 date.>  
1 26 #4. Title page, line 1, after <program> by inserting  
1 27 <and including effective date and retroactive  
1 28 applicability provisions>  
1 29 #5. By renumbering as necessary.  
SF402.1829.H (2) 84  
mb



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## Senate Amendment 3149

PAG LIN

1 1 Amend Senate File 293 as follows:  
1 2 #1. Page 5, by striking line 33 and inserting:  
1 3 <b. (1) Pays an application fee established by the  
1 4 board.  
1 5 (2) The board shall establish the application fee  
1 6 for a naturopathic physician based on the full cost of  
1 7 administering this chapter. No funds derived from the  
1 8 licensure of physicians and surgeons or osteopathic  
1 9 physicians and surgeons shall be used to fund the  
1 10 administration of this chapter.>

BILL DIX  
SF293.1708 (1) 84  
jr/nh



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## Senate Amendment 3150

PAG LIN

1 1 Amend Senate File 406 as follows:  
1 2 #1. Page 1, by striking lines 1 through 10.  
1 3 #2. Page 2, by striking lines 22 through 26 and  
1 4 inserting:  
1 5 <NEW SUBSECTION. 19. The commissioner may propose  
1 6 and promulgate administrative rules to effectuate the  
1 7 insurance provisions of the federal Patient Protection  
1 8 and Affordable Care Act, Pub. L. No. 111=148, as  
1 9 amended by the federal Health Care and Education  
1 10 Reconciliation Act of 2010, Pub. L. No. 111=152, and  
1 11 any amendments thereto, or other applicable federal  
1 12 law.>  
1 13 #3. Page 3, line 8, by striking <subsection 3, Code  
1 14 2011, is> and inserting <subsections 3 and 4, Code  
1 15 2011, are>  
1 16 #4. Page 3, line 16, by striking <or disapproval>  
1 17 and inserting <~~or~~, disapproval, or modification>  
1 18 #5. Page 3, after line 17 by inserting:  
1 19 <4. The consumer advocate shall present the public  
1 20 testimony, if any, and public comments received for  
1 21 consideration by the commissioner in determining  
1 22 whether to approve, ~~or~~ disapprove, or modify such  
1 23 health insurance rate increase proposals.>  
1 24 #6. Page 16, line 6, by striking <transactions,> and  
1 25 inserting <transactions>  
1 26 #7. Page 16, line 8, by striking <transactions,> and  
1 27 inserting <transactions>  
1 28 #8. Page 16, line 10, by striking <instruments  
1 29 or securities> and inserting <instruments used or  
1 30 securities pledged>  
1 31 #9. Page 16, line 12, by striking <of the applicable  
1 32 collateral agreement> and inserting <the applicable  
1 33 collateral>  
1 34 #10. Page 17, after line 13 by inserting:  
1 35 <Sec. \_\_\_\_\_. Section 513B.2, subsection 18, Code  
1 36 2011, is amended to read as follows:  
1 37 18. "Small employer" means a person actively  
1 38 engaged in business who, on at least fifty percent of  
1 39 the employer's working days during the preceding year,  
1 40 employed ~~not less than two~~ at least one and not more  
1 41 than fifty full-time equivalent eligible employees. In  
1 42 determining the number of eligible employees, companies  
1 43 which are affiliated companies or which are eligible  
1 44 to file a combined tax return for purposes of state  
1 45 taxation are considered one employer.  
1 46 Sec. \_\_\_\_\_. Section 514C.13, subsection 1, paragraph  
1 47 j, Code 2011, is amended to read as follows:  
1 48 j. "Small employer" means a person actively engaged  
1 49 in business who, during at least fifty percent of the  
1 50 employer's working days during the preceding calendar



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Senate Amendment 3150 continued

2 1 year, employed ~~not less than two~~ at least one and not  
2 2 more than fifty full-time equivalent employees.>  
2 3 #11. Page 18, after line 29 by inserting:  
2 4 <Sec. \_\_\_\_\_. Section 515.129A, subsection 1, Code  
2 5 2011, is amended to read as follows:  
2 6 1. ~~A~~ After a personal lines policy or contract  
2 7 of insurance ~~which~~ has been in effect for ~~more than~~  
2 8 sixty days or more, the policy or contract shall not be  
2 9 canceled except by notice to the insured as provided  
2 10 in this chapter.>  
2 11 #12. Page 18, by striking lines 32 and 33 and  
2 12 inserting:  
2 13 <1. a. Notwithstanding the provisions of ~~sections~~  
2 14 ~~515.125 through 515.127~~ section 515.129A, a notice of>  
2 15 #13. Page 19, by striking lines 3 and 4 and  
2 16 inserting <notwithstanding the provisions of ~~sections~~  
2 17 ~~515.125 and 515.127~~ section 515.129A, at least ten days  
2 18 prior to the date of cancellation.>  
2 19 #14. Page 19, line 24, by striking <~~515.128~~> and  
2 20 inserting <, 515.128>  
2 21 #15. Page 20, line 4, by striking <~~and~~> and  
2 22 inserting <or>  
2 23 #16. Page 24, after line 24 by inserting:  
2 24 <Sec. \_\_\_\_\_. REPEAL. Section 515.135, Code 2011, is  
2 25 repealed.  
2 26 Sec. \_\_\_\_\_. EFFECTIVE DATE. The following provision  
2 27 or provisions of this Act take effect January 1, 2014:  
2 28 1. The section of this Act amending section 513B.2,  
2 29 subsection 18.  
2 30 2. The section of this Act amending section  
2 31 514C.13, subsection 1, paragraph "j".>  
2 32 #17. Title page, line 2, after <commerce> by  
2 33 inserting <and including effective date provisions>  
2 34 #18. By renumbering as necessary.

MATT McCOY  
SF406.1836 (2) 84  
av/sc





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## Senate Amendment 3151

PAG LIN

1 1 Amend Senate File 293 as follows:  
1 2 #1. Page 11, after line 6 by inserting:  
1 3 <Sec. \_\_\_\_\_. NEW SECTION. 148F.10 Limits on  
1 4 liability.  
1 5 If a health care provider is caring for a patient  
1 6 that has been previously under the care of a  
1 7 naturopathic physician or if a naturopathic physician  
1 8 recommends the interruption of a health care provider's  
1 9 prescribed treatment, the health care provider shall  
1 10 be immune from liability for treatment of the patient.  
1 11 Such immunity shall not apply to acts or omissions  
1 12 constituting gross negligence, recklessness, or  
1 13 intentional misconduct. For purposes of this section,  
1 14 "health care provider" means a physician or surgeon,  
1 15 osteopath, osteopathic physician or surgeon, physician  
1 16 assistant, or nurse licensed in this state, or a  
1 17 hospital licensed pursuant to chapter 135B.>  
1 18 #2. By renumbering as necessary.

JACK WHITVER  
SF293.1861 (2) 84  
jr/nh



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## Senate Amendment 3152

PAG LIN

1 1 Amend Senate File 293 as follows:  
1 2 #1. Page 7, after line 12 by inserting:  
1 3 <Sec. \_\_\_\_\_. NEW SECTION. 148F.3A Mandatory  
1 4 disclosure.  
1 5 A naturopathic physician shall disclose in writing  
1 6 to all patients that some treatments recommended by the  
1 7 naturopathic physician are not scientifically proven  
1 8 to be effective and that the federal food and drug  
1 9 administration does not provide oversight of many of  
1 10 the treatments provided by naturopathic physicians.  
1 11 The naturopathic physician shall have the patient sign  
1 12 this disclosure and keep a copy on file.>  
1 13 #2. By renumbering as necessary.

JACK WHITVER  
SF293.1859 (2) 84  
jr/nh



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## Senate Amendment 3153

PAG LIN

1 1 Amend Senate File 444 as follows:  
1 2 #1. Page 7, after line 9 by inserting:  
1 3 <c. If a terminating student is a member, or the  
1 4 spouse of a member if the member has a dependent  
1 5 child, of the Iowa national guard or reserve forces  
1 6 of the United States and is ordered to state military  
1 7 service or federal service or duty, a person offering  
1 8 a postsecondary educational program that is more than  
1 9 four months in length shall provide to the terminating  
1 10 student a full refund of tuition and mandatory fees.>  
1 11 #2. By renumbering as necessary.

HERMAN C. QUIRMBACH

SHAWN HAMERLINCK  
SF444.1863 (3) 84  
je/sc



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## Senate Amendment 3154

PAG LIN

1 1 Amend the amendment, S=3096, to Senate File 240 as  
1 2 follows:  
1 3 #1. Page 1, line 16, after <violation> by inserting  
1 4 <, and if the violation involves selling, giving, or  
1 5 otherwise supplying any alcoholic beverage, wine,  
1 6 or beer to a person between the ages of eighteen and  
1 7 twenty years of age. A violation involving a person  
1 8 under the age of eighteen years of age shall not  
1 9 qualify for the bar against assessment of a penalty  
1 10 pursuant to subsection 3, for a violation of subsection  
1 11 123.49, subsection 2, paragraph "h">

MARK CHELGREN  
S3096.1872 (1) 84  
rn/nh



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## Senate Amendment 3155

PAG LIN

1 1 Amend Senate File 293 as follows:  
1 2 #1. Page 6, after line 9 by inserting:  
1 3 <0e. Has completed a residency program consisting  
1 4 of at least six thousand hours with a curriculum  
1 5 approved by the board.>  
1 6 #2. By renumbering as necessary.

JACK WHITVER  
SF293.1867 (1) 84  
jr/nh



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## Senate Amendment 3156

PAG LIN

1 1 Amend the amendment, S=3149, to Senate File 293 as  
1 2 follows:  
1 3 #1. Page 1, line 7, after <chapter> by inserting <  
1 4 reduced by any allocations received from the department  
1 5 of administrative services from the IowAccess revolving  
1 6 fund>

MERLIN BARTZ  
S3149.1871 (1) 84  
jr/nh



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## Senate Amendment 3157

PAG LIN

1 1 Amend Senate File 396 as follows:  
1 2 #1. By striking everything after the enacting clause  
1 3 and inserting:  
1 4 <Section 1. NEW SECTION. 537A.5 Indemnity  
1 5 agreements ==== construction contracts.  
1 6 1. As used in this section, "construction contract"  
1 7 means an agreement relating to the construction,  
1 8 alteration, improvement, development, demolition,  
1 9 excavation, rehabilitation, maintenance, or repair  
1 10 of buildings, highways, roads, streets, bridges,  
1 11 tunnels, transportation facilities, airports, water or  
1 12 sewage treatment plants, power plants, or any other  
1 13 improvements to real property in this state, including  
1 14 shafts, wells, and structures, whether on ground, above  
1 15 ground, or underground, and includes agreements for  
1 16 architectural services, design services, engineering  
1 17 services, construction services, construction  
1 18 management services, development services, maintenance  
1 19 services, material purchases, equipment rental, and  
1 20 labor. "Construction contract" includes all public,  
1 21 private, foreign, or domestic agreements as described  
1 22 in this subsection other than such public agreements  
1 23 relating to highways, roads, and streets.  
1 24 2. Except as excluded under subsection 3, a  
1 25 provision in a construction contract that requires one  
1 26 party to the construction contract to indemnify, hold  
1 27 harmless, or defend any other party to the construction  
1 28 contract, including the indemnitee's employees,  
1 29 consultants, agents, or others for whom the indemnitee  
1 30 is responsible, against liability, claims, damages,  
1 31 losses, or expenses, including attorney fees, to the  
1 32 extent caused by or resulting from the negligent act  
1 33 or omission of the indemnitee or of the indemnitee's  
1 34 employees, consultants, agents, or others for whom the  
1 35 indemnitee is responsible, is void and unenforceable as  
1 36 contrary to public policy.  
1 37 3. This section does not apply to the  
1 38 indemnification of a surety by a principal on any  
1 39 surety bond, an insurer's obligation to its insureds  
1 40 under any insurance policy or agreement, a borrower's  
1 41 obligations to its lender, or any obligation of strict  
1 42 liability otherwise imposed by law.>

MATT McCOY  
SF396.1874 (1) 84  
je/rj



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## Senate Amendment 3158

PAG LIN

1 1 Amend Senate File 252 as follows:  
1 2 #1. Page 1, line 13, by striking <five> and  
1 3 inserting <one>  
1 4 #2. Page 1, line 13, after <dollars.> by inserting  
1 5 <However, if the manufactured or mobile home retailer  
1 6 fails to obtain the certificate of title within ninety  
1 7 days of the date of acquisition, such penalty shall be  
1 8 five hundred dollars.>  
1 9 #3. Page 2, line 11, after <interest.> by inserting  
1 10 <If a purchaser prepays an amount under the sales  
1 11 contract, the seller is not required to provide an  
1 12 updated schedule of payments unless an updated schedule  
1 13 is requested in writing by the purchaser. The seller  
1 14 may charge a fee to the purchaser not to exceed  
1 15 ten dollars for providing the updated schedule of  
1 16 payments.>  
1 17 #4. Page 5, by striking lines 19 and 20 and  
1 18 inserting:  
1 19 <4. a. Rental agreements shall be for a term of  
1 20 ~~one year unless otherwise specified in the rental~~  
1 21 ~~agreement at least six months.~~>  
1 22 #5. Page 6, by striking line 9 and inserting <not to  
1 23 exceed ~~two~~ five hundred dollars in addition>  
1 24 #6. Page 6, by striking lines 20 through 35 and  
1 25 inserting <disclosure statement to the prospective  
1 26 tenant that includes all of the following:  
1 27 a. An explanation of utility rates, charges, and  
1 28 services, unless the utility charges are paid by the  
1 29 tenant directly to the utility company.  
1 30 b. An explanation of any fee or amount required to  
1 31 be paid by the tenant to the landlord or to a third  
1 32 party as a condition of the rental agreement.  
1 33 c. A statement relating to the statutory rights and  
1 34 duties of landlords and tenants under this chapter,  
1 35 including specific references to sections 562B.4,  
1 36 562B.11, 562B.13, 562B.16, 562B.22, 562B.23, 562B.24,  
1 37 and 562B.31.  
1 38 d. The telephone number and mailing address of the  
1 39 attorney general's consumer protection division.>  
1 40 #7. Page 7, by striking lines 4 through 11 and  
1 41 inserting <realized by the tenant selling the tenant's  
1 42 mobile home, unless the manufactured home community  
1 43 or park owner or operator has acted as agent for the  
1 44 mobile home owner pursuant to a voluntary written  
1 45 agreement under subsection 4.  
1 46 Sec. \_\_\_\_\_. Section 562B.19, Code 2011, is amended by  
1 47 adding the following new subsection:  
1 48 NEW SUBSECTION. 4. A landlord may act as an agent  
1 49 for a mobile home owner who is a tenant during the sale  
1 50 of a mobile home if such agency is established pursuant





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Senate Amendment 3158 continued

2 1 to a voluntary written agreement between the landlord  
2 2 and the tenant.>  
2 3 #8. Page 7, line 29, after <rent.> by inserting <The  
2 4 remedy provided under this subsection shall not be  
2 5 construed to allow a tenant to procure and deduct items  
2 6 or services related to the tenant's personal property  
2 7 or to other property for which the landlord is not  
2 8 responsible under the rental agreement.>  
2 9 #9. By renumbering as necessary.

THOMAS G. COURTNEY  
SF252.1841 (3) 84  
md/sc



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## Senate Amendment 3159

PAG LIN

1 1 Amend Senate File 406 as follows:  
1 2 #1. Page 21, line 16, by striking <a cause> and  
1 3 inserting <a no cause>  
1 4 #2. Page 21, line 16, by striking <not> and  
1 5 inserting <~~not~~>  
1 6 #3. Page 21, line 22, by striking <~~reasonable~~> and  
1 7 inserting <reasonable>  
1 8 #4. Page 21, line 23, after <any> by inserting  
1 9 <reasonable>  
1 10 #5. By renumbering as necessary.

ROBERT M. HOGG  
SF406.1885 (1) 84  
av/sc



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## Senate Amendment 3160

PAG LIN

1 1 Amend Senate File 470, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 2, line 16, by striking <47> and inserting  
1 4 <48>  
SF470.1886.H (1) 84  
mb



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**Senate Study Bill 1202**

SENATE FILE  
BY (PROPOSED COMMITTEE ON  
GOVERNMENT OVERSIGHT  
BILL BY CHAIRPERSON  
COURTNEY)

**A BILL FOR**

1 An Act relating to membership in and membership dues paid to  
2 organizations representing school boards, board members, and  
3 administrators, and to the responsibilities and duties of  
4 such organizations, and providing penalties and remedies.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
TLSB 2719XC (9) 84  
kh/rj



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Senate Study Bill 1202 continued

PAG LIN

1 1 Section 1. Section 279.38, Code 2011, is amended by striking  
1 2 the section and inserting in lieu thereof the following:  
1 3 279.38 Membership in organizations ==== requirements.  
1 4 1. As used in this section:  
1 5 a. "Compensation" means the same as defined in section 8F.2,  
1 6 subsection 2.  
1 7 b. "Organization" means a local, state, regional, or  
1 8 national organization which relates to the functions of  
1 9 the board of directors of a school district or to the  
1 10 administrators of a school district and to which the school  
1 11 board pays monetary fees or annual dues in accordance with  
1 12 subsection 2.  
1 13 2. a. The board of directors of a school district, the  
1 14 duly elected members of the school board, and designated  
1 15 administrators of school districts may join and participate in  
1 16 organizations, including but not limited to organizations such  
1 17 as the Iowa association of school boards, the urban education  
1 18 network, Iowa school finance information services, and the  
1 19 school administrators of Iowa. The school board may pay out of  
1 20 funds available to the school board reasonable monetary fees  
1 21 or annual dues for membership of the school board, or a board  
1 22 member or administrator, in such an organization. However, the  
1 23 school board shall not pay monetary fees or annual dues to an  
1 24 organization that is affiliated with or which derives revenue  
1 25 or income from a for-profit subsidiary.  
1 26 b. Each school board that pays monetary fees or annual  
1 27 dues to an organization shall annually report to the local  
1 28 community and to the department of education the amount paid  
1 29 in annual dues to the organization and the amount of any dues,  
1 30 fees, or assessments of any kind paid, and revenue or dividend  
1 31 payments received, for services received from the organization,  
1 32 and the products or services received due to membership in  
1 33 the organization. The information shall be submitted to the  
1 34 department electronically in the format specified by the  
1 35 department.



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Senate Study Bill 1202 continued

2 1 3. The financial condition and transactions of an  
2 2 organization shall be audited in the same manner as school  
2 3 corporations as provided in section 11.6. The organization  
2 4 shall establish an audit committee to review the financial  
2 5 condition and transactions of the organization and the report  
2 6 of examination conducted in accordance with this subsection.  
2 7 The auditor conducting an examination in accordance with this  
2 8 subsection shall have full access to the audit committee  
2 9 and to all of the organization's records, reports, audits,  
2 10 tax reports, and all other documents and papers issued or  
2 11 maintained by the organization.  
2 12 4. An organization shall do all of the following:  
2 13 a. Publish annually on its internet site, and in a report  
2 14 submitted annually to the department of education, the standing  
2 15 committees on government oversight, and the general assembly,  
2 16 all of the following:  
2 17 (1) A listing of the school districts and the moneys paid  
2 18 by each school district.  
2 19 (2) The total revenue the organization receives from each  
2 20 school district resulting from the payment of monetary fees or  
2 21 annual dues and the sale of products and services to the school  
2 22 district by the organization.  
2 23 (3) The total amount of moneys expended for reimbursement of  
2 24 expenses incurred by and compensation paid to the ten highest  
2 25 paid employees of the organization as evidenced by the tax  
2 26 forms submitted by the organization to the internal revenue  
2 27 service.  
2 28 (4) An accounting of all moneys expended for reimbursement  
2 29 of expenses incurred by and compensation paid to all  
2 30 legislative representatives and lobbyists of the organization.  
2 31 b. Submit to the general assembly and the standing committee  
2 32 on government oversight copies of all reports the organization  
2 33 provides to the United States department of education relating  
2 34 to federal grants and grant amounts that the organization  
2 35 administers or distributes to school districts.



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3 1 c. Provide education and training to the organization's  
3 2 board members in the fiduciary duties and legal  
3 3 responsibilities of members.  
3 4 5. a. A person who serves as the head of an organization  
3 5 or otherwise serves in a supervisory capacity within the  
3 6 organization shall not require an employee of the organization  
3 7 to inform the person that the employee made a disclosure of  
3 8 information permitted by this subsection and shall not prohibit  
3 9 an employee of the organization from disclosing any information  
3 10 to a board member or to any public official, a law enforcement  
3 11 agency, a state agency, the auditor of state or an auditor  
3 12 conducting an examination of the organization in accordance  
3 13 with section 11.6, the office of the attorney general, the  
3 14 office of citizens' aide, or to a committee of the general  
3 15 assembly if the employee reasonably believes the information  
3 16 evidences a violation of law or rule, mismanagement, a gross  
3 17 abuse of funds, an abuse of authority, or a substantial  
3 18 and specific danger to public health or safety. However,  
3 19 an employee may be required to inform the person that the  
3 20 employee made a disclosure of information permitted by this  
3 21 subsection if the employee represented that the disclosure was  
3 22 the official position of the employee's immediate supervisor  
3 23 or employer.  
3 24 b. A person shall not discharge an employee from or take  
3 25 or fail to take action regarding an employee's appointment or  
3 26 proposed appointment to, promotion or proposed promotion to,  
3 27 or any advantage in, a position administered by, or subject  
3 28 to approval of, the person or the organization's governing  
3 29 board as a reprisal for a failure by that employee to inform  
3 30 the person that the employee made a disclosure of information  
3 31 permitted by this subsection, or for a disclosure of any  
3 32 information by that employee authorized under paragraph "a"  
3 33 if the employee reasonably believes the information evidences  
3 34 a violation of law or rule, mismanagement, a gross abuse of  
3 35 funds, an abuse of authority, or a substantial and specific



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4 1 danger to public health or safety. However, an employee may  
4 2 be required to inform the person that the employee made a  
4 3 disclosure of information permitted by this subsection if the  
4 4 employee represented that the disclosure was the official  
4 5 position of the employee's immediate supervisor or employer.  
4 6 c. Paragraphs "a" and "b" do not apply if the disclosure of  
4 7 the information is prohibited by statute.  
4 8 d. A person who violates paragraph "a" or "b" commits a  
4 9 simple misdemeanor.  
4 10 e. Paragraph "b" may be enforced through a civil action.  
4 11 (1) A person who violates paragraph "b" is liable to  
4 12 an aggrieved employee for affirmative relief including  
4 13 reinstatement, with or without back pay, or any other equitable  
4 14 relief the court deems appropriate, including attorney fees and  
4 15 costs.  
4 16 (2) When a person commits, is committing, or proposes to  
4 17 commit an act in violation of paragraph "b", an injunction may  
4 18 be granted through an action in district court to prohibit the  
4 19 person from continuing such acts. The action for injunctive  
4 20 relief may be brought by an aggrieved employee or the attorney  
4 21 general.  
4 22 f. A person shall not discharge an employee from or take  
4 23 or fail to take action regarding an employee's appointment or  
4 24 proposed appointment to, promotion or proposed promotion to,  
4 25 or any advantage in, a position administered by, or subject  
4 26 to approval of, the person or the organization's governing  
4 27 board as a reprisal for the employee's declining to participate  
4 28 in contributions or donations to charities or community  
4 29 organizations.  
4 30 g. The person and the organization's governing board  
4 31 shall provide procedures for notifying the organization's  
4 32 new employees of the provisions of this subsection and shall  
4 33 periodically conduct promotional campaigns to provide similar  
4 34 information to the organization's employees. The information  
4 35 shall include the toll-free telephone number of the citizens'





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5 1 aide.

5 2 6. All meetings of the governing board of the organization  
5 3 shall comply with the requirements of chapter 21 and all  
5 4 records of the governing body and the organization shall be  
5 5 maintained in accordance with chapter 22.

5 6 Sec. 2. REPEAL. Section 279.38A, Code 2011, is repealed.

5 7 EXPLANATION

5 8 This bill strikes Code section 279.38 and repeals Code  
5 9 section 279.38A, but combines much of the language of these  
5 10 two Code sections to modify the statutory requirements of  
5 11 organizations to which school boards, school board members,  
5 12 and school district administrators may join and pay monetary  
5 13 fees or dues for membership. School boards, board members, and  
5 14 school administrators may join and participate in local, state,  
5 15 regional, and national organizations which directly relate  
5 16 to the administrator or school board functions of the school  
5 17 district. Such organizations include but are not limited to  
5 18 the Iowa association of school boards, the urban education  
5 19 network, Iowa school finance information services, and the  
5 20 school administrators of Iowa.

5 21 The bill prohibits school boards from paying fees or dues  
5 22 to an organization that is affiliated with or which derives  
5 23 revenue or income from a for-profit subsidiary.

5 24 Each board that pays membership dues must annually report  
5 25 the local community and to the department of education the  
5 26 amount the board pays in annual dues to the organization and  
5 27 the amount of any fees paid, and revenue or dividend payments  
5 28 received, for services received from the organization, and  
5 29 the products or services received due to membership in the  
5 30 organization. The bill requires that the information be  
5 31 submitted to the department electronically in the format  
5 32 specified by the department.

5 33 The financial condition and transactions of the  
5 34 organizations shall be audited in the same manner as school  
5 35 districts. Under the bill, the organization must establish



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6 1 an audit committee to review the financial condition and  
6 2 transactions of the organization and the audit report. The  
6 3 auditor conducting the examination shall have full access to  
6 4 the audit committee and to all of the organization's records,  
6 5 reports, audits, tax reports, and all other documents and  
6 6 papers issued or maintained by the organization.  
6 7     Such organizations must publish annually, in a report  
6 8 submitted annually to the department of education, the standing  
6 9 committees on government oversight, and the general assembly,  
6 10 a listing of the school districts and the dues paid by each  
6 11 school district, the total revenue the organization receives  
6 12 from each school district resulting from the payment of  
6 13 membership fees and the sale of products and services to the  
6 14 school district by the organization, the total amount of the  
6 15 annual compensation and expenses paid to the organization's  
6 16 10 highest paid employees, and an accounting of all moneys  
6 17 expended for reimbursement of expenses and compensation paid to  
6 18 legislative representatives and lobbyists of the organization.  
6 19     Under the bill, the organization must also provide education  
6 20 and training to its board members regarding their fiduciary  
6 21 duties and legal responsibilities.  
6 22     The bill prohibits the head of the organization from  
6 23 requiring an employee to inform the person that the employee  
6 24 disclosed information, and prohibits the person taking adverse  
6 25 employment action against an employee of the organization  
6 26 who discloses information about the organization to a board  
6 27 member, any public official, a law enforcement agency, a state  
6 28 agency, the auditor of state or an auditor conducting an  
6 29 examination in accordance with Code section 11.6, the office  
6 30 of the attorney general, the office of citizens' aide, or to a  
6 31 committee of the general assembly if the employee reasonably  
6 32 believes the information evidences a violation of law or rule,  
6 33 mismanagement, a gross abuse of funds, an abuse of authority,  
6 34 or a substantial or specific danger to public health or safety.  
6 35 The provisions do not apply if the disclosure of information is



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7 1 prohibited by statute. A person who violates the prohibitions  
7 2 commits a simple misdemeanor and may be liable to an aggrieved  
7 3 employee for affirmative relief. The prohibition against  
7 4 adverse action may be enforced through a civil action, and  
7 5 the employee may bring an action for injunctive relief by  
7 6 the district court. Adverse action against an employee for  
7 7 declining to participate in contributions or donations is also  
7 8 prohibited. The person and the organization must provide  
7 9 employee notification procedures relating to these prohibitions  
7 10 and remedies and must conduct related promotional campaigns.  
7 11 The organization's governing boards meetings are subject to  
7 12 Code chapter 21 and the governing board and the organization's  
7 13 records must be maintained in compliance with Code chapter 22.  
LSB 2719XC (9) 84  
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